

IMPORTANT INFORMATION FOR QUEENSLAND HEALTH & OTHER MEDICAL OR CARE FACILITY STAFF

Authority to release the deceased

In Queensland there is no licensing or registration for persons acting as a funeral service provider, including but not limited to the titles;

- funeral director
- undertaker

There is also no legal requirement to engage a funeral service provider to perform any part of the funerary process, including but not limited to;

- collection
- transfer (transport)
- storing

After the Beneficiary providing authorisation - on their own behalf - the hierarchy determining who is authorised to release the deceased's body follows the priority that would apply to the granting of letters of administration (that is, when a court appoints an administrator- see further discussion below).

Other Authorised Person with authority to release the deceased.

The person with authority to release the deceased will be determined in accordance with the priority for a potential administrator as set out in rule 610 of the Uniform Civil Procedure Rules 1999 (Qld) and is as follows:

- a. The deceased's surviving spouse (includes de factor partner and civil partner);
- b. The deceased's children;
- c. The deceased's grandchildren or great-grandchildren;
- d. The deceased's parent or parents;
- e. The deceased's brothers or sisters;
- f. The children of deceased brothers and sisters of the deceased;
- g. The deceased's grandparent or grandparents.
- h. The deceased's uncles and aunts;
- i. The deceased's first cousins; and
- j. Anyone else the court may appoint.

Personal Representative

A Personal Representative is either:

- The executor of the deceased's estate (chosen by the deceased through their Will); or
- The administrator of the deceased's estate (appointed by the Supreme Court when the deceased has died without a Will).